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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

RUBY MAE CONSTANCE,
ET AL.

DOCKET NO. 12-CV-01252

:

VS.

: JUDGE MINALDI

AUSTRAL OIL EXPLORATION
COMPANY, INC., ET AL.

: MAGISTRATE JUDGE KAY

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein [Docs. 44, 45], and after an independent review of the record, and noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED that the plaintiffs' claims against Austral Oil Exploration Company, Inc., be **DISMISSED**;

IT IS FURTHER ORDERED that, as Austral Oil Exploration Company, Inc. was the only non-diverse defendant who could destroy diversity jurisdiction in this case pursuant to 28 U.S.C. § 1332, the Magistrate Judge's decision denying the plaintiffs' Motion to Remand is **AFFIRMED**.

Lake Charles, Louisiana, this 5th day of June, 2013.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE